

ORIGINAL

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS ALEJANDRO GARZA-LOPEZ,

Defendant.

No. CR 10-0256 MHP

STIPULATION AND [PROPOSED] ORDER
EXCLUDING TIME UNDER 18 U.S.C. § 3161

The parties appeared before the Honorable Bernard Zimmerman on April 8, 2010. With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from April 8, 2010 to April 19, 2010, in light of the need for defense counsel to review discovery and to conduct further investigation. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking

1 into account the exercise of due diligence and the need for counsel to review discovery and to
2 conduct further investigation.

3 2. Given these circumstances, the Court found that the ends of justice served by excluding
4 the period from April 8, 2010 to April 19, 2010, outweigh the best interest of the public and the
5 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

6 3. Accordingly, and with the consent of the defendant, the Court ordered that the period from
7 April 8, 2010 to April 19, 2010, be excluded from the Speedy Trial Act calculations under 18
8 U.S.C. § 3161(h)(7)(A) and (B)(iv).

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10 SO STIPULATED:

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12 JOSEPH P. RUSSONIELLO
United States Attorney

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14 DATED: April 8, 2010

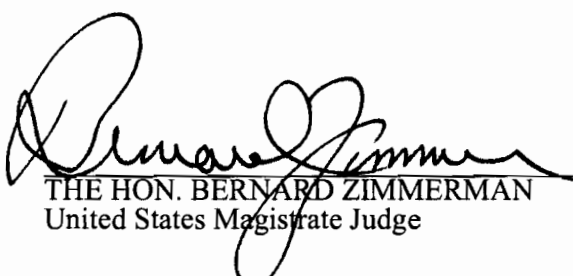
_____/s/
PATRICIA SPALETTA
Assistant United States Attorney

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17 DATED: April 8, 2009

_____/s/
Elizabeth Falk
Counsel for Carlos Alejandro Garza-Lopez

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20 SO ORDERED.

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22 DATED: 9 Apr '10



THE HON. BERNARD ZIMMERMAN
United States Magistrate Judge